

1 WRIGHT, FINLAY & ZAK, LLP  
2 Darren T. Brenner, Esq.  
3 Nevada Bar No. 8386  
4 Lindsay D. Dragon, Esq.  
5 Nevada Bar No. 13474  
6 7785 W. Sahara Ave., Suite 200  
7 Las Vegas, NV 89117  
8 (702) 475-7964; Fax: (702) 946-1345  
9 [dbrenner@wrightlegal.net](mailto:dbrenner@wrightlegal.net)  
10 [ldragon@wrightlegal.net](mailto:ldragon@wrightlegal.net)

11 *Attorneys for Plaintiff, Bank of America, N.A. as successor by merger to BAC Home Loans*  
12 *Servicing, LP*

13 **UNITED STATES DISTRICT COURT**  
14 **DISTRICT OF NEVADA**

15 BANK OF AMERICA, N.A., AS SUCCESSOR  
16 BY MERGER TO BAC HOME LOANS  
17 SERVICING, LP,

18 Plaintiff,

19 vs.

20 FIDELITY NATIONAL TITLE GROUP, INC.;  
21 FIDELITY NATIONAL TITLE INSURANCE  
22 COMPANY, INC.; CHICAGO TITLE  
23 INSURANCE COMPANY, INC.; CHICAGO  
24 TITLE AGENCY OF NEVADA, INC.; and  
25 DOE INDIVIDUALS I through X; and ROE  
26 CORPORATIONS XI through XX, inclusive

27 Defendants.

Case No.: 2:21-cv-00971-CDS-EJY

28 **STIPULATION AND ORDER TO RESET  
BRIEFING ON MOTION FOR REMAND  
[ECF No. 7] AND TO STAY CASE  
PENDING MOTION**

Plaintiff, Bank of America, N.A. as successor by merger to BAC Home Loans Servicing, LP (“BANA”) and Defendants Fidelity National Title Group, Inc., Fidelity National Title Insurance Company, Inc. (“FNTIC”), Chicago Title Insurance Company, Inc. (“CTIC”) and Chicago Title Agency of Nevada, Inc. (collectively, “Defendants,” and with BANA, the “Parties”), by and through their counsel of record, hereby stipulate and agree as follows:

**WHEREAS**, on May 19, 2021, BANA filed its Complaint in the Eighth Judicial District Court, Case No. A-21-834935-C [ECF No. 1-1];

**WHEREAS**, on May 20, 2021, FNTIC and CTIC filed a Petition for Removal to this

1 Court [ECF No. 1];

2 **WHEREAS**, on June 21, 2021, BANA filed a Motion for Remand [ECF No. 7], as well  
3 as Motion for Fees and Costs [ECF No. 8];

4 **WHEREAS**, on September 2, 2021, this Court entered an Order staying this case [ECF  
5 No. 18];

6 **WHEREAS**, on July 15, 2022, this Court lifted the stay of case and ordered the Parties to  
7 submit a briefing schedule on BANA's Motion for Remand and Fees and Costs within 30 days of  
8 the Court's Order lifting the stay. The Court also ordered that Defendants deadline to respond to  
9 the Complaint should be set no later than September <sup>30</sup>~~20~~, 2022 [ECF No. <sup>25</sup>~~29~~];

10 **NOW THEREFORE**, the Parties, by and through their undersigned counsel, hereby  
11 stipulate and agree as follows:

- 12 1. BANA hereby **WITHDRAWS** its Motion for Fees and Costs [ECF No. 8];
- 13 2. Defendants' Response to BANA's Motion for Remand [ECF No. 7] shall be due within  
14 30 days from the entry of the Order approving this Stipulation, while BANA's Reply  
15 shall be due 30 days from the filing of Defendants' Response.
- 16 3. In the interests of judicial economy and to conserve party resources, Defendants'  
17 deadline to file a responsive pleading shall be **STAYED** pending the Court's  
18 resolution of the Motion for Remand [ECF No. 7];
- 19 4. The Parties further stipulate and agree that discovery in this case shall be **STAYED**  
20 pending the Court's decision on BANA's Motion for Remand [ECF No. 7];
- 21 5. The Parties shall not file any motions to enforce Party discovery while this stay is  
22 pending.
- 23 6. Each of the Parties shall be excused from responding to any now-outstanding discovery  
24 requests propounded by the other until after the stay is lifted.
- 25 7. Nothing contained in this stipulation prevents the Parties from propounding and  
26 enforcing third party subpoenas.
- 27 8. Nothing contained in this stipulation prevents the Parties from filing any dispositive  
28 motions.

9. Each of the Parties may request a further Fed R. Civ. P. 26(f) conference at any time 180 days after the order granting this Stipulation.

10. By entering into this Stipulation, none of the Parties is waiving its right to subsequently move the Court for an order lifting the stay in this action.

11. In the event the Motion for Remand is denied and this Court retains jurisdiction, the Parties will submit a proposed discovery plan within thirty (30) days of the Court's Order, as well as a stipulation to reset Defendants' deadline to respond to the Complaint.

**IT IS SO STIPULATED.**

DATED this 12<sup>th</sup> day of August, 2022.

DATED this 12<sup>th</sup> day of August, 2022.

WRIGHT, FINLAY & ZAK, LLP

EARLY SULLIVAN WRIGHT  
GIZER & McRAE LLP

/s/ Lindsay D. Dragon

/s/ Sophia S. Lau

Lindsay D. Dragon, Esq.  
Nevada Bar No. 13474  
7785 W. Sahara Ave., Suite 200  
Las Vegas, NV 89117  
*Attorneys for Plaintiff, The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2005-3*

Sophia S. Lau, Esq.  
Nevada Bar No. 13365  
8716 Spanish Ridge Avenue, Suite 105  
Las Vegas, Nevada 89148  
*Attorney for Defendants, Fidelity National Title Group, Inc., Fidelity National Title Insurance Company, Inc., Chicago Title Insurance Company, Inc. and Chicago Title Agency of Nevada, Inc.*

**IT IS SO ORDERED** that the [26] Stipulation and Order to Reset Briefing Schedule on Motion for Remand and to Stay Case Pending Motion is GRANTED.

IT IS FURTHER ORDERED that the [27] Stipulation and Order to Reset Briefing Schedule on Motion for Remand and to Stay Case Pending Motion is DENIED as moot.

Dated this 19<sup>th</sup> day of August, 2022.

  
UNITED STATES DISTRICT JUDGE